

**Notice of Allowability**

Application No.

10/666,931

Examiner

John Sipos

Applicant(s)

KRAMER ET AL.

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/29/05.
2. ☒ The allowed claim(s) is/are 1,3,4,37-42,44-47 and 49-51.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 10/1/04.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|   | 9. <input type="checkbox"/> Other _____  |

**EXAMINER=S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The abstract of the disclosure has been replaced with the following:

**--ABSTRACT**

A beverage bottling plant for filling bottles with a liquid beverage comprising of a filling machine, a bottle closing station and a labeling station configured and disposed to label filled bottles. The labeling station comprises a label storage magazine configured to hold a plurality of single-sheet labels in a stacked condition, pie-shaped grippers, that extract labels from the storage magazine and directly apply them on the bottles. The grippers are heated prior to applying the labels to the bottles to assist in securing the labels and then the grippers are cooled.-

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Authorization for this examiner's amendment was given in a telephone interview with Mr. N. H. Ljungman on June 13, 2005.

In claim 1, in the last line, "." has been replaced with --;--;

after the last line, the following has been inserted:

--further comprising all of (A), (B), (C), (D), (E), (F) and (G) wherein

(A), (B), (C), (D), (E), (F), and G) comprise:

(A) said heating apparatus to heat a label comprises one of (I),

(II), (III), (IV), and (V), wherein (I), (II), (III), (IV), and (V) comprise:

(I) at least one of: a heat radiator, a heating wire, and a heated-air blower,

(II) at least one of: an arrangement configured to produce a light beam, an arrangement configured to produce an infrared beam, and an arrangement configured to produce an ultraviolet beam,

(III) an arrangement to produce microwaves,

(IV) an arrangement to produce a laser beam, and

(V) an arrangement to produce ultrasound waves;

(B) said label grippers comprise mechanically actuatable label grippers;

(C) control apparatus for controlling operation of said labeling station;

(D) each of said label grippers is configured and disposed to produce a vacuum to permit removal of a label from said label storage magazine and gripping of the label;

(E) said label extracting and applying apparatus comprises:

a first structure;

a second structure,

said label grippers are mounted on said first structure,

said second structure is configured to receive extracted labels from said label grippers on said first structure to permit the labels to be secured to bottles;

said first structure has a central longitudinal axis;

said first structure is configured to rotate about said central longitudinal axis in a substantially circular path;

said second structure has a central longitudinal axis;

said second structure is configured to rotate about said central longitudinal axis of said second structure in a substantially circular path; and

said heating apparatus is disposed adjacent at least one of: said substantially circular path of said first structure, and said substantially circular path of said second structure, to permit heating of a label having a composition on a backside thereof;

(F) an arrangement within said grippers configured and disposed to heat said label grippers; and

an arrangement within said grippers configured and disposed to cool said label grippers; and

(G) said curved circular outer surface of each of said pie-piece-shaped label grippers being about one quarter of a circle.--

In claim 4, in the last line, "." has been replaced with --;;--;

after the last line the following has been inserted:

--said heating arrangement comprises

a heating apparatus configured and disposed to directly heat a label;

an arrangement within said grippers configured and disposed to heat said at least one label;

an arrangement within said grippers configured and disposed to cool said at least one label gripper.—

In claim 44, in the last line, "." has been replaced with --;;--;

after the last line the following has been inserted:

--said heating arrangement comprises:

a heating apparatus configured and disposed to directly heat a label;  
an arrangement within said grippers configured and disposed to heat said at least one label gripper to thus heat a label and the heat-activatable adhesive thereon; and  
an arrangement within said grippers configured and disposed to cool said at least one label gripper;  
said step of heating a label with said heating arrangement comprises the steps of:  
heating said at least one label gripper to thus heat a label and the heat-activatable adhesive thereon;  
directly heating the heat-activatable adhesive with said heating apparatus to further heat the heat-activatable adhesive; and  
cooling with said cooling arrangement said at least one label gripper upon said at least one label gripper being heated and after release of a label being gripped by said at least one label gripper.--.

In claim 49, line 2, “(48)” has been replaced with --(44)--.

Claims 2,43,48 and 52 have been cancelled.

The drawings objections under 37 CFR 1.83(a) made in the last Office action are maintained. The drawings must show every feature of the invention specified in the claims.

The following features are not shown in the drawings:

- (i) The various heating mechanisms of subparagraph (A) of claim 2 and claims 3 and 6.
- (ii) The cooling mechanism of the last paragraph of claim 2 and claim 20.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

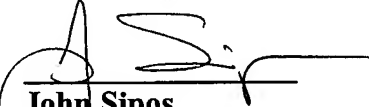
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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication should be directed to **Examiner John Sipos** at telephone number **571-272-4468**. The examiner can normally be reached from 6:30 AM to 4:00 PM Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at **571-272-4467**.

  
**John Sipos**  
**Primary Examiner**  
**Art Unit 3721**